

beginning at pg. 6, line 23. Applicants submit that Timmons does not disclose a "permanent character graphic."

Claims 1-10 and 13-19 were rejected in the parent application based on U.S. Patent 5,766,389 issued June 16, 1998 to Brandon et al. ("Brandon"). The Examiner noted that Brandon discloses an active object, referencing the "sun" which "rises and sets and therefore is considered to be active." Paper Number 6, page 5. The term "active graphic" is defined in the present specification beginning at page 3, line 16, and concerns appearing and/or fading graphics that become more or less visible due to exposure to urine or the environment. Applicants submit that Brandon does not disclose an "active" graphic.

Claims 1-20, 24, 30-31, 38-39 and 41 were rejected in the parent application over Brandon in view of Timmons. The Examiner posited that it "would have been obvious to one of ordinary skill in the art to add the wetness indicators of Timmons to the training pants of Brandon in order to provide a visual signal that the pad is wetted and assist in determining if a fresh pad is needed." Paper Number 6, page 7. Applicants recognize the potential desirability of wetness indicators, however, Applicants are unable to identify any suggestion within the cited references to combine the different and distinct graphics from multiple references into a single, unified product. If anything, Applicants submit that the hypothetical skilled person would be inclined to replace the graphics of Brandon with the graphics of Timmons. It is only with resort to the present application that the skilled person would derive the present combination of elements.

Claims 1-3, 22 and 26 were rejected in the parent application over Brandon in view of U.S. Patent 5,766,212 issued June 16, 1998 to Jitoe et al. ("Jitoe"). The Examiner posited that it "would have been obvious to one of ordinary skill in the art to add the wetness indicators of Jitoe to the training pants of Brandon in order for a mother to be reliably informed of a timing of a diaper exchange." Paper Number 6, page 10. Similar to the discussion of Timmons above, Applicants recognize the potential desirability of wetness indicators. Nonetheless, Applicants are unable to identify any suggestion within the cited references to combine the different and distinct graphics from multiple references into a single, unified product. Applicants submit that the hypothetical skilled person would be inclined to replace the graphics of Brandon with the graphics of Timmons, and it is only based on reference to the present application that the skilled person would derive the present combination of elements.

In view of the above remarks, it is respectfully submitted that claims 1-24, 26, 30, 31 and 38-40 define patentable subject matter.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

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Respectfully submitted,

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I, Mary L. Roberts, hereby certify that on August 13, 2001 this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above with an "Express Mail" Mailing Label Number of EF210594009US and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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